

February 4, 2014

STATEMENT OF PROCEEDINGS

The Minutes of the

***REGULAR MEETING OF THE
BOARD OF SUPERVISORS***

COUNTY OF SAN DIEGO

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
TUESDAY, FEBRUARY 04, 2014, 09:00 A.M.
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY, ROOM 310, SAN DIEGO, CALIFORNIA

REGULAR SESSION – Regular Meeting was called to order at 9:02 a.m.

Present: Supervisors Dianne Jacob, Chairwoman; Bill Horn, Vice Chairman; Greg Cox; Dave Roberts; Ron Roberts; also Thomas J. Pastuszka, Clerk.

Invocation was led by Pastor Rolland Slade from Meridian Baptist Church in El Cajon, the first faith based organization to join the Live Well San Diego initiative.

Pledge of Allegiance was led by Adam Ruiz and Fallon Butterfield, students from Jamacha Elementary School in El Cajon.

NOTICE: THE BOARD OF SUPERVISORS MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY COUNTY STAFF DO NOT LIMIT ACTIONS THAT THE BOARD OF SUPERVISORS MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS IN THE BOARD LETTER AS DETERMINATIVE OF THE ACTION THE BOARD OF SUPERVISORS MAY TAKE ON A PARTICULAR MATTER.

Board of Supervisors' Agenda Items

Category	Agenda #	Subject
Health and Human Services	1.	CALIFORNIA DEPARTMENT OF AGING REVENUE AGREEMENTS [FUNDING SOURCE(S): FEDERAL: STATE HEALTH INSURANCE ASSISTANCE PROGRAM (SHIP) OPTIONS COUNSELING FOR MEDICARE/MEDICAID, MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDERS ACT (MIPPA), AND ADMINISTRATION ON AGING]
Community Services	2.	GENERAL SERVICES - SAN DIEGO COUNTY WOMEN'S DETENTION AND RE-ENTRY FACILITY PROJECT – AUTHORITY TO ESTABLISH APPROPRIATIONS [FUNDING SOURCE(S): UNANTICIPATED REVENUE FROM STATE OF CALIFORNIA AB 900 PROGRAM] (4 VOTES)

	3.	DEPARTMENT OF GENERAL SERVICES - ADOPT A RESOLUTION AUTHORIZING APPLICATION FOR AND ACCEPTANCE OF GRANT FUNDS FOR ELECTRIC VEHICLE CHARGING STATION INFRASTRUCTURE PROJECTS; AUTHORIZATION TO SUBMIT AND ACCEPT GRANT APPLICATIONS [FUNDING SOURCE(S): ALTERNATIVE AND RENEWABLE FUEL AND VEHICLE TECHNOLOGY (ARFVT) GRANT PROGRAM PROVIDED BY THE CALIFORNIA ENERGY COMMISSION]
Financial and General Government	4. *	BIOCOM PRESENTATION ON THE STATE OF THE LIFE SCIENCE INDUSTRY IN THE SAN DIEGO REGION
	5.	AMENDMENTS TO THE COMPENSATION ORDINANCE AND THE ADMINISTRATIVE CODE RELATING TO THE TENTATIVE AGREEMENT FOR THE DEPUTY SHERIFFS ASSOCIATION FOR THE DS AND SM BARGAINING UNITS [FUNDING SOURCE(S): COMBINATION OF GENERAL PURPOSE REVENUES, AVAILABLE GENERAL FUND FUND BALANCE, AND VARIOUS PROGRAM REVENUES]
Communications Received	6.	COMMUNICATIONS RECEIVED
Appointments	7.	APPOINTMENTS: VARIOUS
Presentations/Awards	8.	PRESENTATIONS/AWARDS
Public Communication	9.	PUBLIC COMMUNICATION

*Presentation

1. **SUBJECT: CALIFORNIA DEPARTMENT OF AGING REVENUE AGREEMENTS (DISTRICTS: ALL)**

OVERVIEW:

The Board of Supervisors has demonstrated a long-term commitment to enhancing programs focused on the health, safety and welfare of seniors and persons with disabilities. The County's Health and Human Services Agency, Aging & Independence Services (AIS) administers these programs. On June 18, 2013 (7), the Board approved Fiscal Year 2013-14 revenue agreements to fund various programs supporting seniors and persons with disabilities. These services allow seniors and those with disabilities to remain safely in their homes and to access needed community resources. This item requests Board authorization to accept \$226,309 of federal funds for Fiscal Years 2013 – 2015 to support services for seniors and persons with disabilities. This item also requests Board approval to adopt a resolution to execute agreements with the California Department of Aging to provide more direct access to needed services.

This item supports the County's *Live Well San Diego* initiative by providing services that assist seniors and persons with disabilities in San Diego County.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2013-15 Operational Plan for the Health and Human Services Agency. If approved, this request will result in Fiscal Year 2013-14 costs and revenue of \$132,864 and Fiscal Year 2014-15 costs and revenue of \$93,445. The funding sources are federal: State Health Insurance Assistance Program (SHIP) Options Counseling for Medicare/Medicaid, Medicare Improvements for Patients and Providers Act (MIPPA), and Administration on Aging. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Authorize the Clerk of the Board to execute, upon receipt, the revenue agreements for the Health Insurance Counseling and Advocacy Program (HICAP) (agreement number: FA-1316-23) and Medicare Improvements for Patients and Providers Act (MIPPA) (agreement number: MI-1314-23) with the California Department of Aging for Fiscal Years 2013-2015.
2. Authorize the Health and Human Services Agency to accept and administer the additional HICAP and MIPPA revenue funds in the amount of \$226,309 from the California Department of Aging for Fiscal Year 2013-2015.
3. Authorize the Clerk of the Board, subject to the approval of the Director of the Health and Human Services Agency or designee, to execute subsequent amendments and renewals to the revenue agreements in Recommendation 1 when those documents are received from the funding source.

4. Adopt the resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE CALIFORNIA DEPARTMENT OF AGING REVENUE AGREEMENTS.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 14-016, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE CALIFORNIA DEPARTMENT OF AGING REVENUE AGREEMENTS.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

2. **SUBJECT: GENERAL SERVICES – SAN DIEGO COUNTY WOMEN’S DETENTION AND RE-ENTRY FACILITY PROJECT – AUTHORITY TO ESTABLISH APPROPRIATIONS (DISTRICTS: ALL)**

OVERVIEW:

On March 11, 2008 (5), the Board of Supervisors approved an application for State funding under Assembly Bill (AB) 900 Public Safety and Offender Rehabilitation Services Act of 2007. On May 15, 2008, the County received a conditional award of \$100.0 million from the California Department of Corrections and Rehabilitation, which was the maximum allowable award for large counties under the AB 900 program. On June 22, 2010 (13), the Board authorized design-build, program and project management services for the San Diego County Women’s Detention and Re-Entry Facility Project.

On December 7, 2010 (13), the Board authorized the Director, Department of General Services to execute all documents required by the State in order to maintain eligibility in the AB 900 funding program. On September 13, 2013, the State Public Works Board authorized and consented to the AB 900 agreements with the County.

The Board is requested to establish additional appropriations of \$100.0 million in Capital Project 1015195 (KK 8032) San Diego County Women’s Detention and Re-Entry Facility based on revenue anticipated through the AB 900 lease revenue bond program, to enable issuance of the Notice to Proceed on Phase 2 of the Project.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2013-2014 Operational Plan in the Justice Facility Construction Fund. If approved, this request will result in \$100,000,000 in costs and revenue for program services, project management/construction management services, and the construction of replacement housing and program facilities of Phase 2 of Capital Project 1015195, Women’s Detention Facility. The funding source is unanticipated revenue from State of California AB 900 program. AB 900 interim financing pursuant to the

lease revenue bond funding is a reimbursement for eligible costs incurred in Phase 1, with a required County match of 25%. AB 900 funds are available only once eligible construction expenses have been incurred. The County match has been satisfied through the appropriation of County general funds to the capital project.

The total project cost of the San Diego County Women's Detention and Re-Entry Facility is currently estimated to be \$289,200,000. Funding of \$200,000,000 was previously appropriated in prior year Operational Plans, based on operating transfers from the General Fund. There will be no additional staff years required for the design and construction services. Project savings below the total \$300,000,000 appropriations will be returned to the General Fund upon project completion.

As part of the FY 2013-15 Operational Plan, 142 positions at a cost of \$8.0 million in Salaries & Benefits were added in FY 2013-14 to hire and train staff to operate the facility when it is completed in FY 2014-15. Additional appropriations of \$5.0 million were added for Services & Supplies, including utilities and operations and maintenance for a portion of the fiscal year. Also included as part of the FY 2013-15 Operational Plan were the FY 2014-15 projected costs estimated to be \$20.2 million, including staffing, once the facility is fully operational, with additional operating costs to be budgeted for food and medical services. The funding source for these ongoing operational costs will be general purpose revenues.

BUSINESS IMPACT STATEMENT:

The San Diego County Women's Detention and Re-Entry Facility project will result in approximately 2,900 jobs for private sector contractors and suppliers.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Establish appropriations of \$100,000,000 in the Capital Outlay Fund for Capital Project 1015195 Women's Detention Facility, based on unanticipated revenue from State of California AB 900 program. **(4 VOTES)**

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

3. **SUBJECT: DEPARTMENT OF GENERAL SERVICES - ADOPT A RESOLUTION AUTHORIZING APPLICATION FOR AND ACCEPTANCE OF GRANT FUNDS FOR ELECTRIC VEHICLE CHARGING STATION INFRASTRUCTURE PROJECTS; AUTHORIZATION TO SUBMIT AND ACCEPT GRANT APPLICATIONS (DISTRICTS: ALL)**

OVERVIEW:

The California Energy Commission has publicized a grant opportunity for municipal agencies for the purpose of expanding the alternative fueling infrastructure and fueling stations for the public, employees, and workplace electric vehicle owners. Deploying this infrastructure will incentivize businesses to partner with the County to provide electric vehicle charging stations for the public and County employees with electric vehicles. It will also offset the cost of installing workplace charging stations for County-owned vehicles. This grant supports the growth of electric vehicles as a conventional method of transportation.

Today's request is to adopt a Resolution and to authorize the Director, Department of General Services to submit a grant application for the Alternative and Renewable Fuel and Vehicle Technology Program through the California Energy Commission and to accept the grant funding if awarded. This grant program would support the deployment of Electric Vehicle Charging Stations by reducing the County's expenses and potentially attract additional contract providers by reducing the capital funding needed for initial installations. The estimated grant award is \$700,000 for work to be completed in Fiscal Years 2014 - 2016.

The Board of Supervisors is also requested to authorize the Director, Department of General Services to apply for and accept grant funding for energy and sustainability projects in support of the County Strategic Energy Plan until June 30, 2015.

FISCAL IMPACT:

There is no fiscal impact associated with the request to adopt a Resolution authorizing submittal of a grant application. If the grant application is approved and funds are awarded, this request will result in estimated costs and revenue of up to \$700,000 for Fiscal Years 2014-2016. Funds for this request will be included in the Fiscal Years 2014-16 Operational Plan for the Facilities Management Internal Service Fund. The funding source will be the Alternative and Renewable Fuel and Vehicle Technology (ARFVT) grant program provided by the California Energy Commission. There is a match requirement of up to \$225,000 related to the grant program which can be satisfied with the estimated property value of the parking spaces, County staff time and purchase of plug in electric vehicles. There will be no change in net General Fund cost and no additional staff years.

If future applications for grants that support the County Strategic Energy Plan result in an award, a subsequent item will be brought to the Board to appropriate the funds.

BUSINESS IMPACT STATEMENT:

Expenditures for these projects will create private sector jobs and economic opportunities in San Diego County.

RECOMMENDATION:**CHIEF ADMINISTRATIVE OFFICER**

1. Waive Board Policy B-29, Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery which requires full cost recovery grants and to the extent it requires separate application for authority to apply for and accept grants.
2. Adopt the Resolution entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF FUNDING FROM THE CALIFORNIA ENERGY COMMISSION.
3. Authorize the Director, Department of General Services, or designee, as agent of the County, to conduct all negotiations and submit all documents including, but not limited to, applications, contracts, payment requests and to execute the grant agreements, including any extensions or amendments thereof that do not materially impact or alter the grant program or funding levels for the California Energy Commission Alternative and Renewable Fuel and Vehicle Technology (ARFVT) Program.
4. Pursuant to Board Policy B-29, authorize the Director, Department of General Services, to submit grant applications and accept grants that support the County Strategic Energy Plan through June 30, 2015.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 14-017, entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF FUNDING FROM THE CALIFORNIA ENERGY COMMISSION.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

4. **SUBJECT: BIOCOM PRESENTATION ON THE STATE OF THE LIFE SCIENCE INDUSTRY IN THE SAN DIEGO REGION (DISTRICTS: ALL)**

OVERVIEW:

The Southern California life sciences cluster remains one of the most vibrant and innovative in the world, benefiting from a unique collegiality that arises out of its high concentration of research institutes and the close proximity of companies from all sectors. There is much evidence that this region continues to be a global center of cutting edge research, manufacturing, and business development. This

helps to improve the human health condition and create jobs and opportunities for Southern California residents. Biocom also publishes an annual economic impact report, which details the large economic footprint of the industry in Southern California.

The life science industry is essential to the San Diego region's economy. Biocom will give a presentation describing the state of the industry in San Diego on Tuesday, February 4, 2014.

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

SUPERVISOR DAVE ROBERTS AND SUPERVISOR RON ROBERTS

Receive the Biocom presentation on the state of the life science industry in the San Diego region.

ACTION:

Received the Biocom presentation on the state of the life science industry in the San Diego region.

5. **SUBJECT: AMENDMENTS TO THE COMPENSATION ORDINANCE AND THE ADMINISTRATIVE CODE RELATING TO THE TENTATIVE AGREEMENT FOR THE DEPUTY SHERIFFS ASSOCIATION FOR THE DS AND SM BARGAINING UNITS (DISTRICTS: ALL)**

OVERVIEW:

These recommendations present amendments to the Compensation Ordinance for the first reading of negotiated provisions for a successor Memoranda of Agreements (MOAs) between the County of San Diego and the Deputy Sheriffs Association (DSA) for the DS and SM bargaining units. These successor agreements will replace the existing agreements which expire on June 26, 2014.

A summary of the proposed Compensation Ordinance amendments is as follows:

1. Reduces the County's portion of employees' paid retirement contribution, also known as the retirement offset and increases salary for DS and SM bargaining units to mitigate the effect of the offset reductions effective June 27, 2014. Eliminates the County's portion of employees' paid retirement contribution for DS and SM bargaining units in June 2018, and provides a salary increase to mitigate the final offset reduction at no additional cost to the County;
2. Eliminates the \$1500 annual payment for employees who have attained 30 years of retirement service credit;
3. Provides one-time monetary \$750 payment in July 2014;

4. Increases eligible employees' flex credits in January 2015, January 2016, January 2017 and January 2018;
5. Increases salary by 2% in June 2014, by 1% in June 2015, by 3% June 2016, and by 2% June 2017;
6. Adds an additional step to the salary range in June 2014, June 2015 and June 2017;
7. Amends the overtime provision so that an employee who uses a full scheduled shift of vacation or Compensatory Time Off (CTO) and on the same day works additional hours or a non-mandatory shift, to be compensated at straight time for job codes/classifications designated DS;
8. Deletes language requiring the County to provide an employee with time off, if requested, for Court holidays not recognized by the County;
9. Modifies the shift change overtime premium to allow for one rotation each year, for internal affairs investigations, and if the shift change was made pursuant to an employee's request;
10. Modifies language relating to employee eligibility for overtime meals and ensures reimbursement rates are consistent with United States General Services Administration (GSA) rates; and,
11. Deletes the canine allowance provision.

Today's recommendation also adds section 443 to the Administrative Code related to reimbursement for costs up to \$250 related to serving on the Honor Guard and amends section 495 of the Administrative Code related to transportation and parking reimbursement.

Details of the tentative agreement are reflected in the background of this letter.

FISCAL IMPACT:

In Fiscal Year 2014-2015, the costs associated with today's recommendations are estimated to result in costs of \$13.9 million which includes one-time costs of \$2.6 million. The estimate includes ongoing base and supplemental pay net increases of \$10.7 million, one-time monetary payments of \$2.6 million, and flex credit increases of \$0.7 million.

In Fiscal Year 2015-2016, the costs associated with today's recommendations are estimated to result in additional costs of \$7.1 million. The estimate includes further ongoing base pay net increases of \$6.0 million and additional flex credit increases of \$1.1 million.

In Fiscal Year 2016-2017, the costs associated with today's recommendations are estimated to result in additional costs of \$9.1 million. The estimate includes further ongoing base pay net increases of \$8.1 million and additional flex credit increases of \$1.0 million.

In Fiscal Year 2017-2018, the costs associated with today's recommendations are estimated to result in additional costs of \$12.9 million. The estimate includes further ongoing base pay net increases of \$11.9 million and additional flex credit increases of \$1.0 million. Flex credits increase further in Fiscal Year 2018-2019 by \$0.5 million.

Funding to support today's recommendations will be reflected in the Fiscal Year 2014-2016 Recommended Operational Plan. The funding source is a combination of General Purpose revenues, available General Fund fund balance, and various program revenues.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Approve introduction on February 4, 2014 (first reading) of the following ordinances; read title and waive further reading of these ordinances (MAJORITY VOTE):

AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE SECTIONS RELATING TO THE TENTATIVE AGREEMENT FOR THE DEPUTY SHERIFFS ASSOCIATION (DSA) FOR THE DS AND SM BARGAINING UNITS

AN ORDINANCE AMENDING THE ADMINISTRATIVE CODE, SECTION 443 PERTAINING TO REIMBURSEMENT FOR HONOR GUARD EXPENSES AND SECTION 495, PERTAINING TO TRANSPORTATION AND PARKING REIMBURSEMENT.

If the Board takes the action recommended in item 1, then on February 25, 2014 (second reading):

Submit the Ordinances for further Board consideration and adoption (second reading on February 25, 2014). Approve the adoption of a successor MOA between the County of San Diego and the Deputy Sheriffs Association.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent, introducing the Ordinances for further Board consideration and adoption on February 25, 2014.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

6. SUBJECT: COMMUNICATIONS RECEIVED (DISTRICTS: ALL)

OVERVIEW:

Board Policy A-72, Board of Supervisors Agenda and Related Process, authorizes the Clerk of the Board to prepare a Communications Received for Board of Supervisors' Official Records. Routine informational reports, which need to be brought to the attention of the Board of Supervisors yet not requiring action, are listed on this document. Communications Received documents are on file in the Office of the Clerk of the Board.

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Note and file.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

7. SUBJECT: APPOINTMENTS: VARIOUS (DISTRICTS: ALL)

OVERVIEW:

These appointments are in accordance with applicable Board Policy A-74, "Citizen Participation in County Boards, Commissions and Committees," Board Policy I-1, "Planning and Sponsor Group Policies and Procedures," and Board Policy A-77, "Appointments to Fill Vacancies and Cancellation of Election where Insufficient Nominations Filed Prior to Uniform District Election and Citizen Planning Group Election."

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHAIRWOMAN DIANNE JACOB

Appoint Lisanna Lopez to the POTRERO COMMUNITY PLANNING GROUP, Seat No. 6, for a term to expire January 5, 2015.

SUPERVISOR GREG COX

Appoint Mark Blumenthal to the City of Coronado Redevelopment Oversight Board, Seat No. 6, for a term to expire at the discretion of the appointing authority.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

8. SUBJECT: PRESENTATIONS/AWARDS (DISTRICTS: ALL)

OVERVIEW:

Chairwoman Dianne Jacob and Supervisor Bill Horn presented a proclamation declaring February 4, 2014, San Diego County Farm Bureau Day throughout the County of San Diego.

Chairwoman Dianne Jacob and Supervisor Ron Roberts presented a proclamation declaring February 7, 2014, National Wear Red Day throughout the County of San Diego.

Supervisor Ron Roberts presented a proclamation declaring February 4, 2014, Bill Center Day throughout the County of San Diego.

Supervisor Dave Roberts presented a proclamation declaring February 4, 2014, Dr. G. Richard Wheelock Day throughout the County of San Diego.

Supervisor Greg Cox presented a proclamation declaring February 2014, Black History Month throughout the County of San Diego.

9. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW:

Reginald Tisdale spoke to the Board regarding Metropolitan Transit System (MTS) transportation issues.

Sharon Kramer spoke to the Board regarding support for the California Coalition for Families and Children (CCFC) to stop racketeering and an FBI investigation.

ACTION:

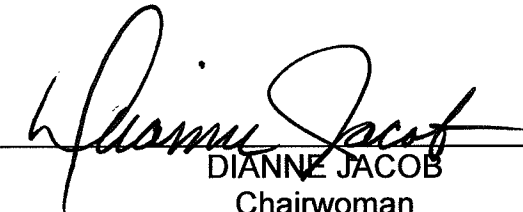
Heard, referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 10:28 a.m. in memory of Neil Morgan, Tom Clotfelter, and LaRue Pierce.

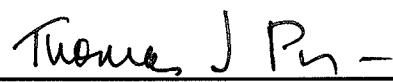
THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors
County of San Diego, State of California

Consent: Gomez
Discussion: Panfil

Approved by the Board of Supervisors, on Tuesday, February 25, 2014.


DIANNE JACOB
Chairwoman

Attest:


THOMAS J. PASTUSZKA
Clerk of the Board

02/04/14